

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**THE EYE CARE CENTER OF NEW
JERSEY, PA, on behalf of itself and
all others similarly situated,**

Plaintiff,

v.

**TWIN CITY FIRE INSURANCE
COMPANY,**

Defendant.

Civ. No. 20-05743 (KM) (ESK)

ORDER

THIS MATTER having come before the Court on the motions (DE 27, 28) of Defendant to dismiss the Complaint for failure to state a claim, for lack of subject-matter jurisdiction, and for lack of personal jurisdiction, pursuant to Fed. R. Civ P. 12(b)(6), (1), (2); and the Court having considered the submissions of the parties (DE 27, 28, 34–40, 47, 48, 50–52, 55, 56) without oral argument; for the reasons stated in the accompanying Opinion, and good cause appearing therefor;

IT IS this 8th day of February 2021,

ORDERED that the motions to dismiss (DE 27, 28) are **GRANTED**.

Because amendment would be futile, the dismissal is entered with prejudice.

/s/ Kevin McNulty

**Kevin McNulty
United States District Judge**